

REMARKS

Upon entry of the present amendment, claims 1-17 will remain pending in the above-identified application and stand ready for further action on the merits.

The amendments made herein to the claims do not incorporate new matter into the application as originally filed. For example, the amendment to claim 1 simply indicates that the same pertains to a "magnetic disk substrate polishing composition", which finds support throughout the original filed application. Regarding newly added claims 7-17, support for the same may be found at page 5, lines 23-25 and page 8, lines 11-18 (claims 7, 10 and 14), page 3, line 9 (claims 8, 11 and 15), page 12, line 25 (claims 9, 12 and 16), and page 15, lines 7-12 (claims 13 and 17).

Accordingly, entry of the present amendment is respectfully requested.

Claim Rejections Under 35 USC § 102/103

Claims 1-6 have been rejected under 35 USC § 102(b) as anticipated by or, in the alternative, under 35 USC § 103(a) as obvious over Ina et al. (US 6,355,075). Claims 1-6 have also been rejected under 35 USC § 102(a) or (e) as anticipated by or, in the alternative, under 35 USC § 103(a) as obvious over Takami et al. (US 6,626,967). Claims 1 and 3-6 have been rejected under 35 USC § 102(b) as anticipated by or, in the alternative, under 35 USC §

103(a) as obvious over Loncki et al. (US 5,860,848). Claim 2 has been rejected under 35 USC § 103(a) as obvious over Loncki et al. (US 5,860,848). Also, claims 1 and 3-6 have been rejected under 35 USC § 102(a) or (e) as anticipated by or, in the alternative, under 35 USC § 103(a) as obvious over Ohno et al. (US 2003/0084815 A1). Also, claim 2 has been rejected under 35 USC § 103(a) as obvious over Ohno et al. (US 2003/0084815 A1). Still further, claims 1-6 have been rejected under 35 USC § 103(a) as obvious over GB 2,354,524 alone or in view of Takami et al. Reconsideration and withdrawal of each of the above rejections is respectfully requested based upon the following considerations.

Ina et al.

Ina et al. disclose a polishing composition for a semiconductor device and fail to disclose a magnetic disk substrate polishing composition. Also, low contents of transition metals present in the composition of Ina et al. are to not readily decompose the hydrogen peroxide (column 4, line 65 to column 5, line 9). Whereas, in the present invention, low contents of copper are to exhibit excellent effects for reducing surface defects such as pits and projections of a magnetic disk substrate (see page 2, line 19 to page 3, line 10). As such, the present invention cannot be anticipated by or obvious over Ina et al.

Takami et al.

The Takami et al. US '967 patent results from an application filed in the USPTO on October 30, 2002. This is the same date as Applicants' priority date under 35 USC § 119 to JP 2002-316224 filed on October 30, 2002. Accordingly, enclosed herewith is a verified English language translation of Applicants' Japanese priority document 2002-316224 filed on October 30, 2002, which perfects Applicants' priority date to the JP 2002-316224 application. Based upon the submission herewith of the accompanying verified English translation of JP 2002-316224, the Examiner's outstanding rejections based upon the Takami et al. US '967 reference have been obviated.

Loncki et al.

Loncki et al. also disclose a polishing composition for a semiconductor device and fail to disclose a magnetic disk substrate polishing composition. Further, it appears that Loncki et al. do not teach the technical meaning of low contents of copper. As such, no one is motivated to reduce surface defects by the use of the polishing composition of which copper content is low.

Ohno et al.

Ohno et al. also disclose a polishing composition for a semiconductor device and fail to disclose a magnetic disk substrate

polishing composition. Unlike the present invention, it appears that the technical effect of low content of element in Ohno et al. is to improve the yield in the process for producing semiconductor (see [0036]) and to exhibit excellent storage stability (see [0038]). As such, the same argument as those made for Ina et al. or Loncki et al. may be applied in the same way against Ohno et al.

GB 2,354,524

GB '254 fails to teach low content of copper. In GB '524, it appears that problems of surface defects are solved by using a phosphate compound as an essential component of a polishing composition (see page 10, lines 3-5, and Table 1 at page 20). Whereas, in the present invention, it does not require to use a phosphate compound. With the use of a low content of copper in the present invention, the excellent effects for reducing surface defects can be exhibited. As such, the present invention cannot be obvious over GB '524.

Based upon the above considerations, including each of the distinctions noted above, it is clear that the cited art is completely incapable of supporting any anticipation rejection of the pending claims or an obviousness rejection of the same claims. This is true whether such references are considered singularly or in combination.

CONCLUSION

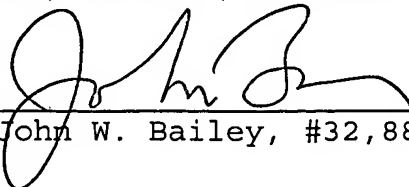
Based upon the amendments and remarks presented herein, as well as the accompanying verified English language translation of JP 2002-316224 upon which Applicants claim priority under 35 USC § 119, the Examiner is respectfully requested to withdraw all outstanding rejections of record and to issue a Notice of Allowance clearly indicating the patentability of each of the pending claims 1-17.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John W. Bailey (Reg. No. 32,881) at the telephone number below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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